

DANIEL J. BRODERICK, Bar #89424  
Federal Defender  
COURTNEY FEIN, Bar #244785  
Designated Counsel for Service  
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Attorney for Defendant  
FELIPE DURAN-AVINA

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	NO. CR. S-05-044-FCD
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER</b>
	)	<b>CONTINUING STATUS CONFERENCE</b>
v.	)	<b>AND EXCLUDING TIME</b>
	)	
FELIPE DURAN-AVINA,	)	Date: September 12, 2011
	)	Time: 10:00 am.
	)	Judge: Hon. Frank C. Damrell, Jr.
Defendant.	)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, MICHELE BECKWITH, Assistant United States Attorney, attorney for Plaintiff, and COURTNEY FEIN, attorney for FELIPE DURAN-AVINA, that the final dispositional hearing set for September 6, 2011 be rescheduled for September 12, 2011 at 10:00 a.m.

The reason for this continuance is to allow both counsel additional time to receive and review the dispositional memorandum and to give defense counsel time to review the memorandum with the defendant. Defense counsel missed today's appearance as a result of mistakenly calendaring

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1 today's appearance for 9/16/11 and apologizes to the court and the  
2 government for this error.

3 DATED: September 7, 2011.

Respectfully submitted,

4 DANIEL J. BRODERICK  
Federal Public Defender

5 /s/ Courtney Fein  
6 COURTNEY FEIN  
Attorney for FELIPE DURAN-AVINA

7  
8 DATED: September 7, 2011.


BENJAMIN WAGNER  
United States Attorney

9  
10 /s/ Michele Beckwith  
11 MICHELE BECKWITH  
Assistant U.S. Attorney  
12 Attorney for Plaintiff

13 **ORDER**

14  
15 UPON GOOD CAUSE SHOWN and the stipulation of all parties, it is  
16 ordered that the September 6, 2011, dispositional hearing be continued to  
17 September 12, 2011, at 10:00 am. Based on the representation of defense  
18 counsel and good cause appearing therefrom, the Court hereby finds that  
19 the failure to grant a continuance in this case would deny defense  
20 counsel reasonable time necessary for effective preparation, taking into  
21 account the exercise of due diligence.

22 Dated: September 7, 2011

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25 FRANK C. DAMRELL, JR.  
United States District Judge